

# **Citizen's Petition to Change the RIO Bylaw at the 2025 Annual Town Meeting**

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Version for Town Meeting  
April 15, 2025

# Agenda

- Introduction & Review Motion Language – 1 min
- Executive Summary – 3 min
- Residential Incentive Overlay (RIO) District – Definition & Evolution – 5 min
- Proposed Change & Rationale – 6 min
- Q&A, Discussion & Vote – Balance of Time

## Citizen's Petition Motion Language To Change RIO Zoning Bylaw In 2025:

Motion. That the Town vote to amend the Zoning Bylaw Section 3.2 Residential Incentive Overlay (RIO) by adding a second sentence to Section 3.2 B. to read as follows: The RIO ~~shall~~ be considered as overlaying other zoning districts.

Specifically, the RIO may be applied only over any Business District, Business District A, Industrial District, Industrial District A, Transportation District, and the Lower Falls Village Commercial District.

The proposed change is the addition of the single, new underlined sentence above

## Executive Summary: Article 42 – RIO Bylaw Change

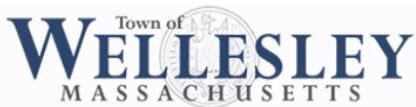
A yes vote eliminates RIOs in single family/general residence zoning districts

- Asking you to vote yes to change the existing Residential Incentive Overlay District (RIO) Bylaw
- Requires a super majority vote (2/3 yes vote for passage)
- Return the RIO to its **original intent to encourage denser residential development in commercial areas**

# Definition: What Is A Citizen's Petition?

A Town Meeting warrant article sponsored by a citizen

- Must be signed by 10 voters



SERVICES GOVERNMENT DEPARTMENTS COMMUNITY



Search...



## Citizen's Petition

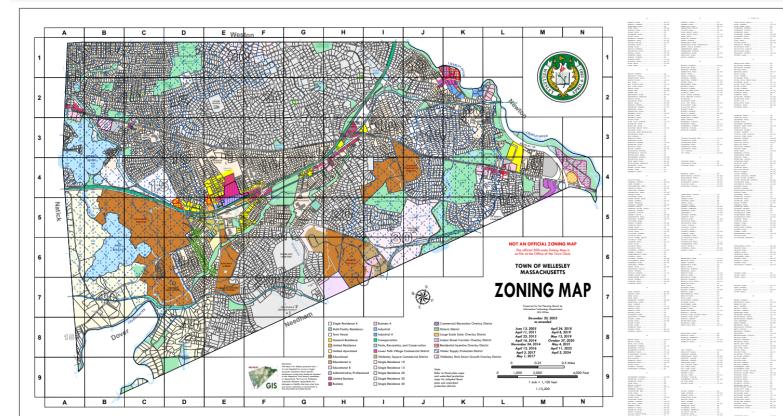
A citizen may sponsor a warrant article by filing a citizen's petition with the Town Clerk prior to the closing of the warrant. [For an Annual Town Meeting, the petition must be signed by 10 voters.](#) For a Special Town Meeting, the petition must be signed by 100 voters. It should include a fair description of the subject matter the petitioner desires to put before the meeting. Citizens who are interested in filing such petitions should contact the [Town Clerk](#) for additional information.

# Definition: What Is A Residential Incentive Overlay District (RIO)?

- A zoning overlay that gets proposed and approved (or rejected) at Town Meeting (As of 2021, a simple majority is required to pass versus original super majority)
- Outlined in Section 3.2 of the Town's Zoning Bylaw
- One acre minimum
- Located near commercial districts and public transportation
- Allows for higher density development (up to 24 units per acre)



The luxury condos at the Terrazza on Linden Street & Delanson Circle are an example of a RIO in a residential zoning district



<https://www.wellesleyma.gov/DocumentCenter/View/384/Zoning-Map-PDF>

# Evolution: History Of RIOs In Wellesley & Proposed Change

Zoning Bylaw changed in 2019 to allow RIOs in residential zones in order to avoid and compromise in response to hostile 40B development projects at Terrazza & Bristol

## *Locations That Residential Incentive Overlay District (RIO) May be Applied:*

Original: Six Zones	Current: All Zones	Proposed: Six Zones
1998-2018	2019-2024	2025-Forward
<ul style="list-style-type: none"><li>• Business District</li><li>• Business District A</li><li>• Industrial District</li><li>• Industrial District A</li><li>• Transportation District</li><li>• Lower Falls Village</li><li>Commercial District</li></ul>	<ul style="list-style-type: none"><li>• Any Zoning District</li></ul>	<ul style="list-style-type: none"><li>• Business District</li><li>• Business District A</li><li>• Industrial District</li><li>• Industrial District A</li><li>• Transportation District</li><li>• Lower Falls Village</li><li>Commercial District</li></ul>

<https://www.wellesleyma.gov/DocumentCenter/View/23982/2021-23-Delanson-Realty-Partners-Delanson-Circle-Hollis-Street>

Note: Wellesley Sq. Commercial District already allows 24 units per acre with a special permit

# Highlights: What Changes If Citizen's Petition Is Approved?

TOPIC	TODAY	PROPOSED	IMPACT IF APPROVED
Zones	All zones	Business District, Business District A, Industrial District, Industrial District A, Transportation District, and the Lower Falls Commercial District.	RIOs limited to only six zoning districts as per the original RIO Bylaw <b>(Wellesley Sq. Commercial District already allows 24 units per acre with a special permit)</b>
Proximity to commercial districts & public transportation	Near commercial districts and public transportation	Near commercial districts and public transportation	<b>No change</b>
Unit count	24 units per acre	24 units per acre	<b>No change</b>
Minimum size	1 acre minimum	1 acre minimum	<b>No change</b>

# Proposals For Multi-Family Housing Create Stress For Some

Sleepless Nights for Many Single-Family/Residential District Homeowners



**35 New Units for Median Price of ~\$2.2M Each at Terrazza on Linden Street in General Residence Zoning District**



# Entire Neighborhood & Street Wiped Out By RIO Project

Nine housing units were acquired & demolished by developer to make way for Terrazza (four renovated)



35 units for \$82M+



The 35 ~\$2.2M Luxury Condos at the Terrazza on Linden Street are an example of a RIO in a general residence zoning district.

# Wellesley Has Been Very Supportive of Multi-Family Housing

Hundreds and hundreds of new multi-family housing units approved in April of 2024 at Town Meeting, but not built yet



Zoned for 1,727 multi-family housing units  
near the Town's MBTA stations (above 1,392 guideline)\*

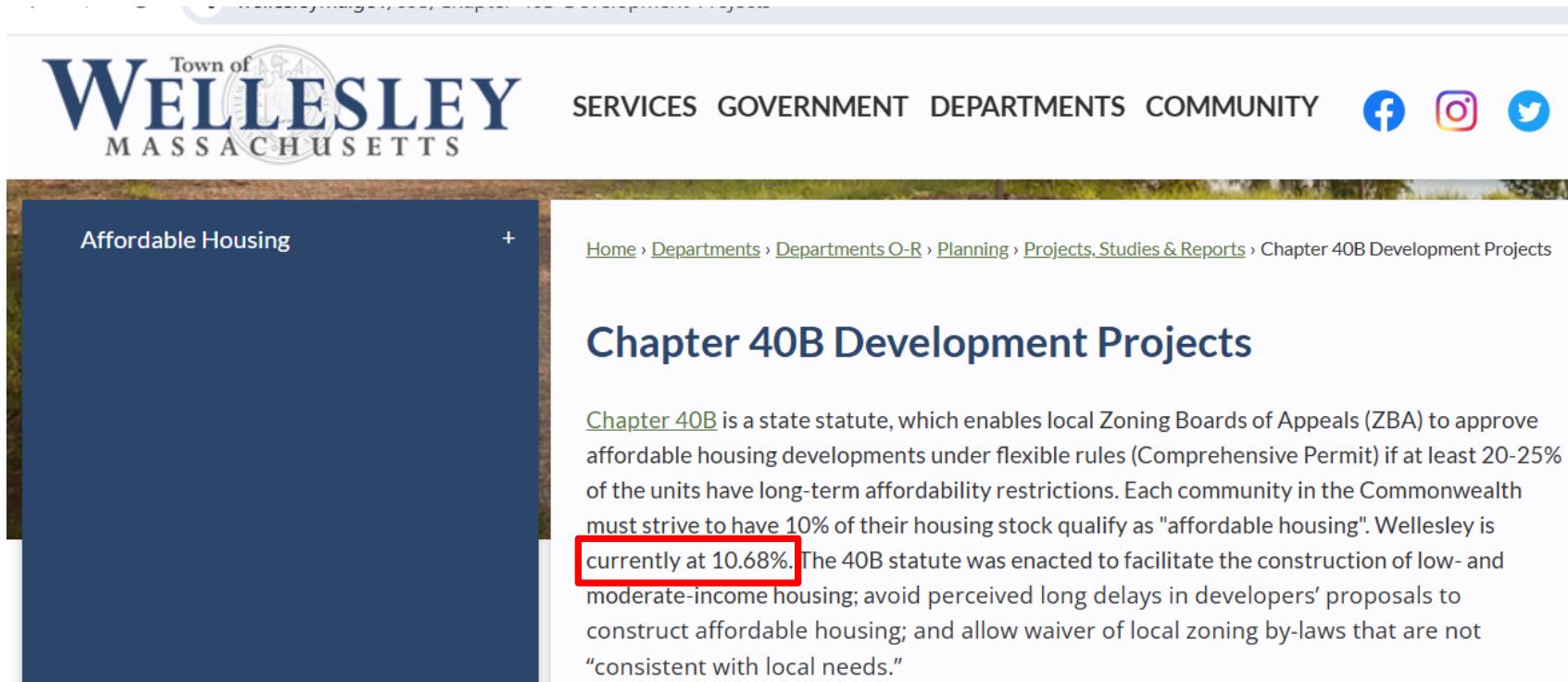
\*Source: Special Town Meeting, Oct. 21, 2024 at 3:10:22 &  
<https://data.census.gov/table/ACSDP5Y2023.DP05?q=Wellesley%20town,%20Massachusetts>

<https://wellesleyma.gov/2114/MBTA-Community-Zoning>

First MBTA communities project at 592 Washington Street?  
(14 units, 2 affordable)

# Wellesley Has Been Very Supportive of Affordable Housing

More than 10% of Wellesley's housing stock qualifies as "affordable housing" today & Wellesley has affordability requirements in place for new development (Inclusionary Zoning Bylaw)



The image shows a screenshot of the Town of Wellesley, Massachusetts website. At the top, the town's seal and name are displayed, along with navigation links for SERVICES, GOVERNMENT, DEPARTMENTS, and COMMUNITY, and social media icons for Facebook, Instagram, and Twitter. A sidebar on the left features a 'Affordable Housing' section with a plus sign icon. The main content area shows a breadcrumb navigation path: Home > Departments > Departments O-R > Planning > Projects, Studies & Reports > Chapter 40B Development Projects. The page title is 'Chapter 40B Development Projects'. The text on the page discusses Chapter 40B as a state statute that enables local Zoning Boards of Appeals (ZBA) to approve affordable housing developments under flexible rules (Comprehensive Permit) if at least 20-25% of the units have long-term affordability restrictions. It notes that each community in the Commonwealth must strive to have 10% of their housing stock qualify as "affordable housing". A red box highlights the current percentage: "Wellesley is currently at 10.68%." The text continues to describe the statute's purpose: to facilitate the construction of low- and moderate-income housing, avoid perceived long delays in developers' proposals, construct affordable housing, and allow waiver of local zoning by-laws that are not "consistent with local needs."

Affordable Housing +

Home > Departments > Departments O-R > Planning > Projects, Studies & Reports > Chapter 40B Development Projects

## Chapter 40B Development Projects

Chapter 40B is a state statute, which enables local Zoning Boards of Appeals (ZBA) to approve affordable housing developments under flexible rules (Comprehensive Permit) if at least 20-25% of the units have long-term affordability restrictions. Each community in the Commonwealth must strive to have 10% of their housing stock qualify as "affordable housing". Wellesley is currently at 10.68%. The 40B statute was enacted to facilitate the construction of low- and moderate-income housing; avoid perceived long delays in developers' proposals to construct affordable housing; and allow waiver of local zoning by-laws that are not "consistent with local needs."

Source: <https://www.wellesleyma.gov/893/Chapter-40B-Development-ProjectsSource>

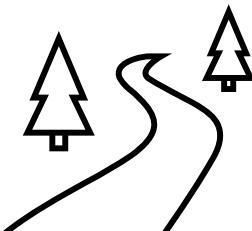
# Do We Know The Infrastructure Impact?

What are the implications of the new multi-family housing capacity **already approved** in Wellesley?

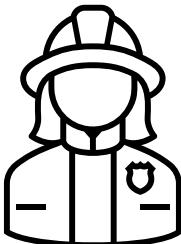
## WATER



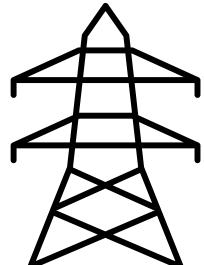
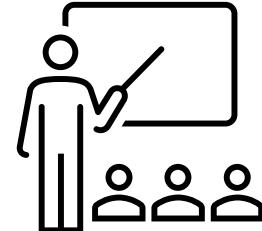
## TRAFFIC



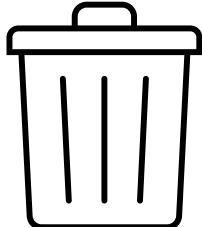
## FIRE



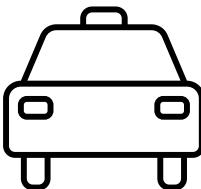
## SCHOOLS



## POWER



## WASTE



## POLICE



## GOV'T

# Evaluating RIOs Demands A Ton Of Time From Many People

Town Meeting rejected two RIOs at 2024 Special Town Meeting after hours and hours of work by volunteers and employees

Select Board

Town Employees



Advisory Board

Planning Board

# Vote Required For RIO Approval Changed In 2021

There were concerns raised about RIOs in residential districts back in 2019

- 1998: Super majority: number of votes in favor being **at least twice** the number of votes against
- 2019: Super majority: number of votes in favor being **at least twice** the number of votes against
- 2021: Simple majority: State law zoning changed to make multi-unit housing approval easier, reducing RIO approval to a simple majority
- 2024: Simple majority: Given State law change Town Counsel confirmed to Town Meeting that RIOs **only require a simple majority** (more than half the votes cast in favor of an option)

When the Advisory Committee recommended favorable action to change the RIO in 2019, “several Advisory members responded to concerns that the proposed amendments could cause RIO developments to spring up in the future throughout the Town’s residential districts. **These members emphasized that, before any future RIO project could proceed, Town meeting must approve, via a two-thirds vote, the application of the RIO District onto the parcels in question.”\***

\*Source: Supplemental report to the Special Town Meeting, Monday, May 13, 2019 by the Town’s Advisory Committee.

<https://www.wellesleyma.gov/DocumentCenter/View/15940/2019-May-STM-Supplemental-Report>

## Allowing RIOs In Six Zones Is Enough

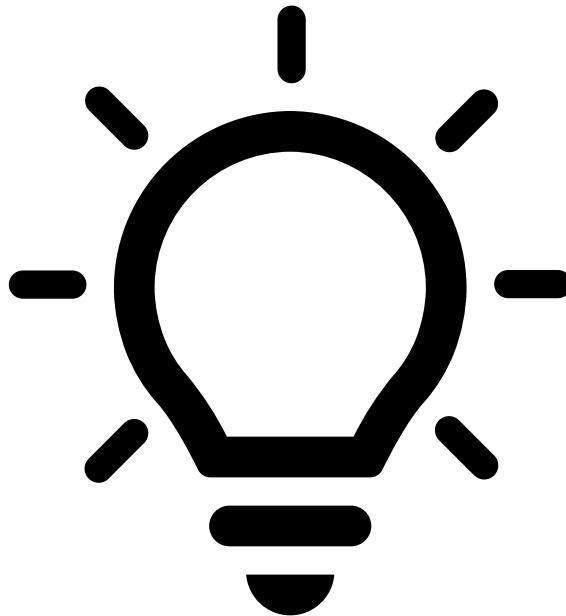
Town's population as of July 1, 2024: ~30,000 residents & **~9,000** households (Source: US Census\*)

	<b>Proposed (Six Zones)</b>
Total Number of Acres Potentially RIO Eligible in Town	134
Max Units Per Acre	24
<b>Total Potential RIO Units</b>	<b>3,216</b>
# Residents Per Household*	2.77
Total Potential RIO Residents in Town	8,908

\*Source: <https://www.census.gov/quickfacts/fact/table/wellesleycdpmassachusetts/PST045224>

# An Emerging Idea: Create A RIO Reform Task Force

Planning Board is considering a comprehensive review of the RIO Bylaw



# My Recommendations For RIO Task Force To Consider

I support a yes vote on Article 42 & the Planning Board's 2+ year journey to comprehensive RIO reform

- Hold all RIO Task Force meetings in public & record them
- Require Town Meeting to approve an enforceable development agreement for all RIOs
- Define proximity to public transportation & commercial areas

## Conclusion: Asking For You to Vote Yes On Article 42

Change would mean no RIOs in single-family zones

- Asking for your vote in favor of changing the existing Residential Incentive Overlay District (RIO) Bylaw
  - Return the RIO to its original intent to **encourage denser residential development in commercial areas**
- Thank you all for your service to the Town of Wellesley

# Appendix

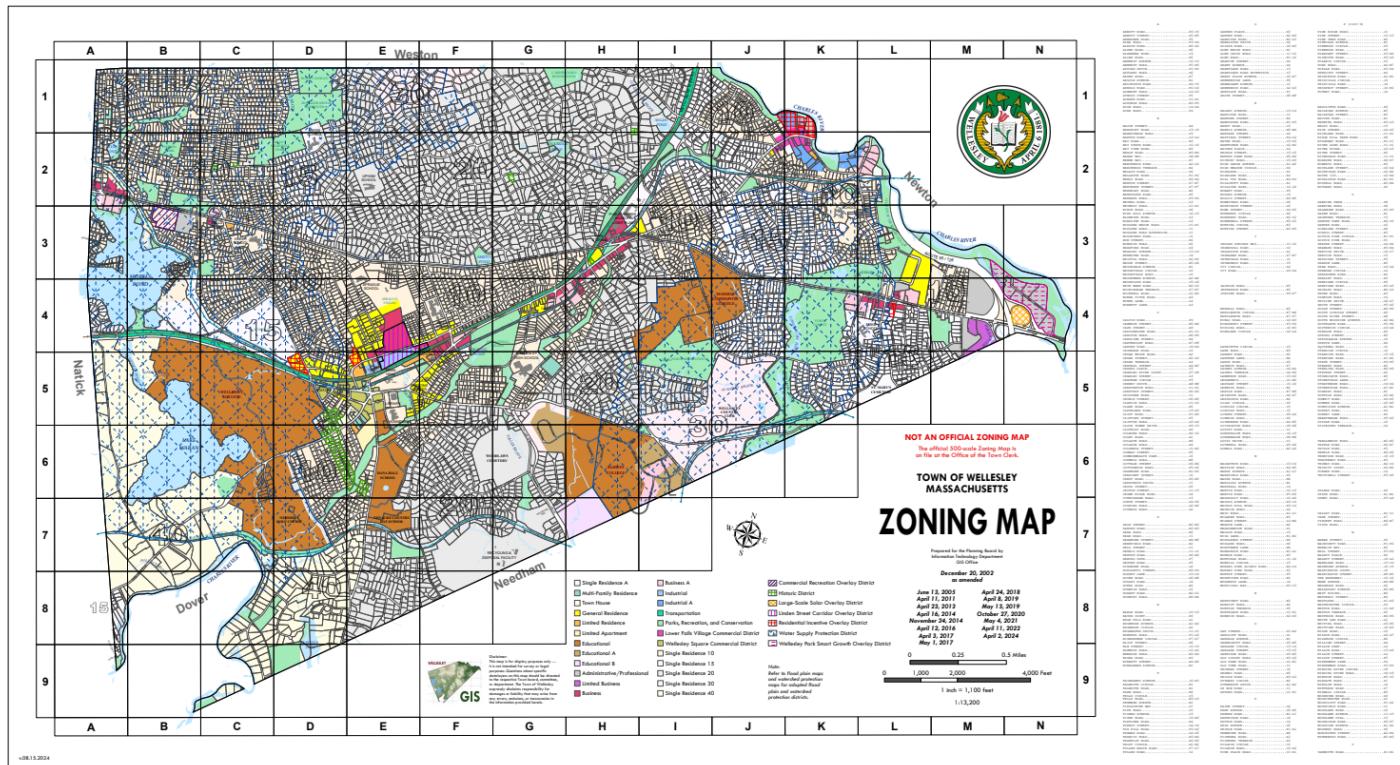
# Zoning Districts In The Town of Wellesley

## SECTION 2. DISTRICTS

SECTION 2.1	Single Residence Districts (formerly Section 2)
SECTION 2.1.1	Single Residence Districts A (formerly Section 3)
SECTION 2.2	General Residence Districts (formerly Section 4)
SECTION 2.2.1	General Residence Districts A (formerly Section 5)
SECTION 2.3	Town House Districts (formerly Section 3A)
SECTION 2.4	Multi-Unit Residence Districts (formerly Section 5A)
SECTION 2.5	Limited Residence Districts (formerly Section 6)
SECTION 2.6	Limited Apartment Districts (formerly Section 6A)
SECTION 2.7	Educational Districts (formerly Section 7)
SECTION 2.7.1	Educational Districts A (formerly Section 8)
SECTION 2.7.2	Educational Districts B (formerly Section 8A)
SECTION 2.8	Planned Development Districts (formerly Section 9A)
SECTION 2.9	Administrative and Professional Districts (formerly Section 9)
SECTION 2.10	Business Districts (formerly Section (formerly Section 11))
SECTION 2.10.1	Business Districts A (formerly Section 12)
SECTION 2.10.2	Limited Business Districts (formerly Section 10)
SECTION 2.11	Lower Falls Village Commercial District (formerly Section 9B)
SECTION 2.12	Wellesley Square Commercial District (formerly Section 9C)
SECTION 2.13	Industrial Districts (formerly Section 13)
SECTION 2.13.1	Industrial Districts A (formerly Section 14)
SECTION 2.14	Transportation Districts (formerly Section 14A)
SECTION 2.15	Parks, Recreation, and Conservation Districts (formerly Section 14C)

Source: <https://wellesleyma.gov/DocumentCenter/View/12119/Full-Zoning-Bylaw-as-of-2024-ATM?bidId=>

# Town Of Wellesley's Zoning Map



## **Citizen's Petition To Change RIO Zoning Bylaw In 2025:**

- To see if the Town will vote to amend its Zoning Bylaw to allow for the application of a Residential Incentive Overlay District only over any Business District, Business District A, Industrial District, Industrial District A, Transportation District, and the Lower Falls Commercial District.